BY J. L. PENNINGTON & CO.

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THE DAILY PROGRESS.

VOL. V. RALEIGH, MONDAY, APRIL 18, 1864. NO. 185

TELEGRAPHIC NEWS.

REPORTS FOR THE PRESS ASSOCIATION.

Entered according to act of Congress, in the year 1861, by J. S. Thrasher, in the Clerk's Office of the District Court of the Confederate States of the Northern District of Georgia.

Later from the North.

RICHMOND, April 16.—Excitement prevails at Jonesboro', Illinois, caused by soldiers shooting a citizen. A force has been sent to prevent further bloodshed.

The Pennsylvania Senate has adopted a resolution removing the seat of government to Philadelphia.

Meade will be retained in command of the Army of the Potomac.

Raining here to-day.

[SECOND DISPATCH.]

RICHMOND, April 16.—The Petersburg papers this morning report considerable excitement in the Blackwater section, in consequence of the advance of the Yankees. Several skirmishes had taken place.

Information, deemed reliable, represents that Burnside's forces were landing in large numbers at Portsmouth on Wednesday.

DALTON, April 16.—Northern dates to the 13th received.

The East Tennessee Convention met at Knoxville on the 12th. There were delegates from nearly every county. Tom Wilson made an explanation of his compromise with Jeff. Davis and denounced his acts as unconstitutional. William Heiskell was elected President. Daniel Trueheart made a speech denouncing the apostates in the bitterest terms. A combination of politicians against the administration exists in strong force.

Andrew Johnson made a speech declaring that the negroes had been working the rich lands of Tennessee long enough, and said that slavery is already dead. He said if we had no slaves there would be but few traitors.

The Railroad bridges over the Potomac, which were destroyed by the freshet, have been replaced.

New Orleans advices says a large side wheel steamer evaded the blockaders at Galveston and succeeded in getting in. She had on board four thousand stand arms.

It is reported that Bishop McCloskey has been appointed Arch Bishop of New York in place of Bishop Baulding of Baltimore.

The steamer *Virginia*, with Liverpool dates to the 29th, has arrived.

The Danish Conference met at Lovesten on the 12th of April.

Consols 91¾.

Cotton dull and unchanged.

The steamer *City of New York* was wrecked at the entrance to Queenstown Harbor by running on a rock. She will prove a total loss.

It is reported that Forrest, with a large force, is advancing on Paducah. Reinforcements have been sent from Mayfield.

Nothing transpiring here.

Still Later from the North.

RICHMOND, April 17.—The army of the Potomac is actively preparing for the new campaign. Brig. Gen. Torbett has been assigned to the command of the first division of cavalry; Wilson is to relieve Gregg in second division. Scouts report that Longstreet, with a greater part of his army, had reached Richmond. It is also reported that the Officers of Lee's Army had ordered their baggage to be sent to Richmond before the 9th inst.

The Georgia is at Garonne, France, refitting for sea. During her recent voyage she captured and burned in the bay of Biscay the ship William Crampton, from New York.

The latest quotations of gold in New York, one hundred and seventy-nine.

A gentleman just from Maryland, says he understood at Annapolis and other places which he visited recently that Burnside would move up on the South side of James River, if an advance in that direction be found practicable.

More rain to-day.

RICHMOND, April 17.—The Baltimore *Gazette* of the 14th received. Gold in New York on the 13th 178¾. Sterling bills sold at 192.

Flour has advanced forty cents per barrel. A monster speculation has been commenced in breadstuffs extending through the West.

General news unimportant.

From Northern Virginia.

CULPEPER C. H., April 13.—Deserters who have entered our lines during the past week, report that the enemy will begin to advance to-morrow, eight days rations having been issued for that purpose. They also report the enemy fortifying Pony Mountain and Culpeper C. H. Citizens just out of the enemy's lines say the enemy will force a fight soon, in order to have their best troops, whose times expire in May, and not one-fifth of whom have re-enlisted. The Yankee army is in anything but fine spirits. Meade is reported to be receiving reinforcements rapidly.

Maj-Gen. W. F. Smith, of the Army of the West, has been assigned to duty in this army as Chief Engineer on Gen. Lee's staff.

All quiet in front to-day.

Another Slaughter at Fort Pillow.

MOBILE, April 17.—A special dispatch from Fort Pillow on the 12th says that Forrest attacked that place with Chalmers division yesterday. The garrison consisted of 300 white and 400 negroes. The Fort, refusing to surrender, it was carried by storm. Forrest led Bell's Brigade, and Chambers led McCullough's. Both entered the Fort from the opposite side simultaneously. An awful slaughter followed. One hundred prisoners were taken and the balance slain. The Fort ran with blood. Many jumped into the River and were drowned or shot in the water. Over one hundred thousand dollars worth of stores were taken and six mules captured. Confederate loss 75. Lt. Col. Reid, 5th Mississippi, mortally wounded.

After Their "Rights."

SELMA, April 17.—The Selma Typographical Union held a meeting this evening and passed resolutions sympathizing with the Atlanta Union, and tendering a hearty co-operation in any measure calculated to secure the rights of the fraternity, and also ordered the corresponding Secretary to communicate with the Corrstponding Secretary of the Atlanta Union and report as soon as practicable.

From Georgia.

DALTON, April 15.—All quiet in front. Five Alabamains, who were to have been shot to-day for desertion were temporarily reprieved by Gen. Johnston until the President could be heard from.

Weather cloudy and cool.

EXEMPTION OF STATE OFFICERS IN GEORGIA.

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, GA., April 6, 1864.

To the People of Georgia:

As a vast number of letters are being received at this Department, enquiring what civil and military officers of this State are exempt from Confederate conscription, which makes the labor of answering each burdensome, I adopt this mode of giving a general reply. The Congress of the Confederate States prior to the session of the General Assembly last winter, had by act left it to the Legislature of the respective States to say what State officers should be exempt from conscription, and our Legislature passed the following joint resolution, which was approved 14th December, 1863.

"*Resolved by the General Assembly of the State of Georgia*, In response to the law of the Confederate Congress inviting the several States to specify what State officers shall be exempt from conscription, that all civil and military officers of this State shall be so exempt."

The late act of Congress known as the military act exempts the members of the State Legislatures, and such other State officers as the Governors of the respective States may certify to be necessary for the proper administration of the State governments.

In conformity to the resolution of the General Assembly, I have certified to the President that I claim as exempt all civil and military officers of this State. This embraces the Judges of the Supreme Court of this State and their clerk and deputy clerk, reporter and deputy reporter; all Judges of the Superior Courts, and same clerk and deputy clerk in each county, with one sheriff, one deputy sheriff and one jailor for each county, with an additional deputy in each county embracing the larger cities, if the sheriff will file his affidavit that the services of such second deputy are actually necessary to enable him to discharge the duties of his office faithfully and promptly; the justices of the Inferior Court of each county, with their clerk and deputy clerk; the ordinary and his deputy clerk; all justices of the peace and all lawful constables; all tax collectors, receivers of tax returns, county treasurers, county surveyors and coroners; all mayors of cities and aldermen or councilmen who are made by the act of incorporation ex officio justices of the peace or State officers; all financial agents appointed by the Governor to aid in carrying into execution the laws of this State for the exportation of cotton and the importation of clothing and other supplies for Georgia soldiers in service, and the importation of cotton cards and articles necessary for the repair of the State road; the judge, clerk and sheriff of each city court, and all officers and necessary employees of the State road; one notary public for each county, if appointed as the statute requires prior to this date; all State House officers and the secretaries and clerks employed in each department. The staff officers of the Governor, including the adjutant and inspector general and his assistants; the *aids de camp*, the quartermaster and commissary general and their necessary assistants; the officers and cadets of the Georgia military institute who together are made by law the engineer corps of this State; the chief of ordnance, and the superintendent and employees of the State armory under him; and all commissioned officers of the newly organized militia of this State, including the surgeons appointed under the act. The militia officers as well as the civil are protected from the date of their election. The militia officers under the old organization are protected by law, till their commissions are suspended, which takes place in each Senatorial district so soon as the Governor issues his order to that effect, which is to be done in ten days after the new organization in the district is completed.—The officers and guards of the penitentiary, the officers and employees of the cotton card factory in Milledgeville.

If I have omitted any officer whom the law makes it my duty to protect, the fact will be made public when the omission is discovered.

As some of the enrolling officers in this State, from ignorance of their duty or disregard of the orders of their superiors, assume to command the officers of the State, and to set in judgment upon the legality of their commissions, all the above mentioned officers are hereby notified that the enrolling officers have no jurisdiction over them, and they will obey no orders from any Confederate officer. If they are seized by force and carried from their homes they will at once notify me of the fact.

Upon the demand of the enrolling officer it will be the duty of each State officer to exhibit his commission if he has it with him, if not to get and exhibit it in a reasonable time. In case of deputy Sheriffs, deputy Clerks, Jailors and Constables, the law provides that the order of appointment by the person or Court having the power of appointment shall constitute the commission.

The Enrolling Officers have no jurisdiction to try the legality of a commission issued from this Department, or from the Court, or person in whom the law vests the power to give commissions. In case any doubt arises as to the legality of a commission held by any person, or the Enrolling Officer has reason to suspect that it is a forgery, or that the holder is practicing any other imposition, such Enrolling Officer is respectfully invited to forward a statement of the facts to me at this place, and I will inform him promptly, whether the person claiming to be an officer is such in fact, and will afford him every facility in my power to arrest any person who may have escaped under such false pretext. If the Enrolling officers will adopt this course, there will be no reason for conflict of misunderstanding.

In case of deputy Sheriffs and deputy Clerks of the several counties, the law does not limit the principal Sheriff or Clerk to a single deputy but authorizes him to appoint "deputies." As I am satisfied however that one deputy is quite sufficient in any county, unless it may be in the office of Sheriff in the larger cities, and that some of the counties may not need a deputy at all, I have thought that I carry out in its spirit, if not in its letter, the resolution of the Legislature, when I refuse to protest more than one deputy for each Clerk and Sheriff in each county, except in case of the Sheriffs of the counties embracing the larger cites, upon their oaths, that a second deputy is necessary as above provided.

I regret to learn that able bodied young men have in some cases been elected to inferior county, district or militia officers to the exclusion of old men competent to fill the places; but as the Constitution and laws give me no control over the decisions of the people in such cases, and no right to interfere with them in the exercise of the elective franchise; I have no discretion, but am obliged to commission those who are legally elected, and under the general rule of law am obliged to extend to them the same protection which is afforded to other commissioned officers. I know of individual cases where I regret this necessity, imposed by a general rule of law, and would give the office to older men over whom they have succeeded, and send them to the army, if I could do so in the legal discharge of my duty. But I must yield to the choice of those who have the right to make the selection.

JOSEPH E. BROWN.

From the (Va.) Danville Register.]

THE PRESS ON MR. STEPHENS' SPEECH.

We have read with much interest the speech recently delivered by Vice-President Stephens before the Legislature of Georgia, and regret our inability to spread it in full before our readers. Why it has not received a more general circulation through the columns of the Daily press we are unable to conceive, unless it be that the bold protest of Mr. Stephens against the important, and as he declares, unconstitutional legislation of Congress, upon the subjects of the suspension of the writ of *habeas corpus* and military conscription, are regarded as dangerous to peace and harmony, by those who are ever slow to speak that which may displease the ruling power. The brief notice of the speech which has gone the rounds of the newspapers, gives no idea of the unanswerable reasoning and masterly ability with which Mr. Stephens combatted the assumption of power on the part of Congress in the legislation referred to. He pronounces the attempt of that body to authorize the suspension of the writ of *habeas corpus*—the great writ of liberty—as unconstitutional, and urges that the employment of that authority will be only to coerce and oppress individuals, who can have no redress and no appeal, if the people will to submit. It will have the effect to place in the hands of the President and his subordinates dictatorial powers, which should never be delegated by any free people to their executive officers. Mr. Stephens argues that under the Constitution or the Confederate States, no mere military officer can have the power to make arrests and detain citizens, and that only judicial officers are clothed with that power with fixed restrictions. He opposes the claim of those persons who insist upon according the power of the Executive and who ask of the President is not to be trusted, as if exercised by Majesty, not of mere charity, blindly yield him the means of placing us under the yoke, while we are laboring for our national independence. He would not trust an absolute with such dictatorial powers; not say must Washington, nor any one of the illustrious dead, could he be now alive? Not that he feared Mr. Davis, but that he was opposed to parting with liberty, for which once gone from the people it is never regained by them.

The speech contains some important hints and suggestions, and coming from the source they do, they are entitled to much weight.

For our part, we are frank to confess that we have seen nothing in the public conduct of President Davis, which would lead one to infer that he desires a grasp of power beyond that which is vested in him by the Constitution and the laws, unless it be in asking for the suspension of this writ. We are for upholding his hands while he is faithfully striving to secure the independence of the nation; but at the same time, be our confidence in him never so great, that is no good reason why the liberty of person should be unnecessarily put in jeopardy. It is not the man, but the principle, that we must take into the account. We think Mr. Davis could not so far forget himself as to abuse the extraordinary power now conferred upon him, but yet, it is a grant which need not to have been made. This absolute power over the person is a prerogative that belongs only to Kings, and not always to them. It is a power that may apply to subjects but not to sovereigns.

As we have said, we should sustain the President—render him all the aid possible in the work of achieving our independence. He may have his faults and shortcomings, his partialities and prejudices, which may involve us in disasters. This is to be deplored and a legitimate subject of complaint, but is not a question of the rights of the people or the power of the executive. So long as he keeps off the forbidden ground, he should have the zealous cooperation of every citizen; but this ground he nor any other man should be permitted to enter. While striving for independence, we must by all means, maintain our liberties.

We may observe that a Georgia newspaper notices the fact that Hon. John Bell, acknowledged one of the ablest and truest men in the country, fully endorses the speech of Mr. Stephens.

[From the Thomasville Ga. Times.]

When those who have been diligent to misuse Gov. Brown, and the action of the last Legislature, come to read the great speech of our Vice President, they will probably relent their hasty judgment. No man of discrimination or candor can refuse assent to its well sustained positions. His arguments against the impolicy and unconstitutionality of the suspension of the writ of *habeas corpus* by Congress are luminous and unanswerable. The day will come, sometime after the heat and passion of this revolution shall have settled into quiet, and the country shall have been restored to peace, when the late action of the Georgia Legislature will be referred to by men of the Southern we refer to *Magna Charta* of England.

[From the Selma, Ala. Reporter.]

We present our readers with the great speech of perhaps, the ablest and purest statesman in America. It needs no endorsement from us to ensure its careful perusal by all within whose reach it may come, it being the discussion of a great theme in which we are all alike interested. It is compact in all its parts, and as ponderous with logic as it is luminous with the genius of its author. It cannot fail to arrest the evil tendencies of the crisis and reassure the public mind of the firm anchorage to be maintained in respect to the great doctrines and principles that underlie the structure of all the Governments. This speech was not voluntary on the part of Mr. Stephens; on the contrary it was literally extorted from him, through the repeated invitation and importunity of his fellow-citizens in Georgia. Read it, read it!—it is the greatest speech of the revolution.

The Destructives complain bitterly at the Conservatives for "agitating," and yet they are awfully disgruntled because Mr. Holden will not go out and harangue the people for their votes. Mr. Holden stands upon the same platform with Gov. Brown and Vice President Stephens, and favors the shortest road to an honorable peace, and the great body of the Conservative people will be with and for him in August. Principles not men, will be the cry of the people in the August elections. The "last man and last dollar" gentry will please mark our prediction.

The Richmond *Enquirer* and *Sentinel* refuse to lay the speech of Vice-President Stephens before their readers, but eagerly catch at the denunciations of the few *Squad* papers in Georgia that attack it. How generous, fair and consistent!

WHO BROUGHT ON THE WAR?—We had thought that Lincoln and his fanatical abolition clan brought on the war, but if the speculations of the Columbia *Carolinian* be correct the people of that State were the "originators" of the struggle. It says:

It is a curious fact that prices are falling in almost every State of the Confederacy except in that one among the people of which, as the originators of this struggle for liberty, the world will probably expect a spirit especially free from avarice. Why South Carolina should differ in this respect from her sisters, we neither pretend to understand nor desire to explain. Enough it is for us that such is the case, and that, in all probability, it will be, one of these days, a subject of not very flattering comment to the future historian.

DAILY AND WEEKLY PROGRESS.

OUR ONLY TERMS.

The following are the only terms for the *Daily* and *Weekly Progress* for the present. If the cost of labor and material continues to advance we shall make advances:

Daily paper, six months $15.00
" " Three months 8.00
" " One month 3.00
Weekly paper, three months 3.00
" " six months 5.00

Any person sending us a club of ten or more, at one time from the same office, to the Weekly shall have one copy gratis. No deduction for clubs to the Daily.

Our already large and rapidly increasing circulation renders the *Progress* the best advertising medium in the State. Advertisements are inserted in the Daily at the rate of $1 a square, of 8 lines, or 50 words, for every insertion, and in the Weekly for the same. Cash should accompany all orders.

NURSE WANTED.

A GOOD SERVANT IS WANTED TO ACT AS Nurse, for which good wages will be paid. Apply immediately at PROGRESS OFFICE.

April

AUCTION AND PRIVATE SALES.

BLACK PEPPER, BROWN SUGAR, SPICE AND COFFEE AT AUCTION.

ON THURSDAY, THE 21ST INST., WE WILL SELL 400 pounds Black Pepper (which we believe contains no cavity imported), two or three barrels Brown Sugar, a lot Ginger, and two bags Coffee, together with sundry other articles.

GREEN & LITTLEFIELD, Auctioneers.

April 16-tf

"SMITH & BARROW'S MONTHLY MAGAZINE."

THE FIRST NUMBER OF THIS MAGAZINE WILL be issued on the 25th of April. Every number will comprise 96 pages of reading matter and will contain, in due proportion,

ORIGINAL AND SELECTED ARTICLES—

The original articles from the pens of our best writers—the selected articles, reproductions from the latest English Magazines received. The Proprietors, believing that selections from those old favorites of the English periodical Press—now shut off from the general reader by the blockade—which, before the war, were generally circulated throughout the South, cannot be otherwise than welcomed by the reader, have thought it proper, during the continuance of the blockade, to incorporate, in a limited degree, this eclectic feature in the Magazine. By means of the arrangements that they have made, they hope to be enabled to reflect, in the pages of "Smith & Barrow's Monthly Magazine," the most interesting features of the latest English periodicals.

The Magazine will embrace, in its scope,

TALES, POETRY,
SKETCHES OF LIFE AND MANNERS,
OFFICIAL ARMY AND NAVY INTELLIGENCE,
INSTRUCTIVE MISCELLANY,
AND
ARTICLES ON POLITICAL ECONOMY.

The Proprietors would call particular attention to the "Army and Navy" department of the Magazine. Intelligence will be given monthly, under this head, of the latest Promotions, (for special gallantry and otherwise), Changes, &c., in the Regular and Volunteer Military and Naval Service of the Confederate States.

This information will be official, and will be obtained from the Records of the Office of the Adjutant and Inspector General.

All articles in the Magazine, not credited to other Periodicals, will be Original.

The Contents of the First Number of "Smith & Barrow's Monthly Magazine" will be as follows:

An Opening Address; The Currency; Woman's Truth; A Peep Through the Blockade; The Unreal, and Its Mysteries; Attempts at Hexameters, (Alfred Tennyson, Cornhill Magazine); A Plea for Monuments; "Mrs. Archie," (Cornhill Magazine); The Genius of Thackeray; Marie Antoinette's Necklace, (The Spectator;) Curiosities of Fashion in the Matter of Dress, (London Society Magazine); Officia. Army and Navy Intelligence.

THE TERMS OF THE MAGAZINE

will be as follows:

For single number, ... $ 2 00
Subscription for three months, ... 5 00
" " six months, ... 10 00
" " twelve months, ... 20 00

Agents and booksellers furnished at the usual rate of discount.

All orders should be addressed to

SMITH & BARROW,
Publishers and Proprietors,
Richmond, Va.

April 12-2taw12A

TO THE STOCKHOLDERS OF THE BANK OF COMMERCE AT NEWBERN.

THE CONFEDERATE STATES TAX OF FIVE PER cent. on the Capital Stock will be paid by the Bank, Shareholders will therefore not give in or pay this particular Tax.

You are also notified that the REGULAR ANNUAL MEETING of this Corporation will be held in this place on the 16th day of MAY, being the 2d, Tuesday. A full attendance is earnestly requested, either in person or by proxy. "No President, Cashier, Director, Agent or Clerk, can vote as proxy for another."

J. A. GUION, Cashier.

Company Shops, March 29, 1864. April 4-1m

Charlotte Bulletin copy for same time, and forward accounts to advertiser.

TAXES! TAXES!!

I SHALL ATTEND AT THE COURT HOUSE IN Raleigh on Monday, the 18th, 19th, 20th, 21st and 22d, to take the list of taxable property in Raleigh Districts, No. 1 and 2, for State and county, when all may attend and give in and save double tax.

April 12-tf8A W. H. H. TUCKER, J. P.

WANTED,

10,000 POUNDS OF SHEET IRON IN SHEETS or scraps, not less than 1½ inches by four. Also a lot of Hoop iron, Rivets, size from 1 to 1½ pounds. Persons wishing to buy the wood works of two or four horse wagons, or the timbers and boxes for same, would do well to call on the subscriber.

March 29-4w G. A. LACK.

Confederate copy 4 weeks.

SURGERY FOR FIELD AND HOSPITAL.

I AM NOW PREPARED TO SUPPLY MY WORK on Surgery to subscribers and others who may wish to purchase it.

On the receipt of $6.00, the book will be sent by mail postage paid. EDWARD WARREN, M. D.,

Aug 21-tf Raleigh, N. C.

PEWS FOR RENT.

ON THE FIRST MONDAY IN MAY NEXT, BEFORE the Church door, at 12 o'clock, M., will be rented, for one year, the vacant Pews in Christ Church.

JAS. McKIMMON,
Treasurer.

April 15-3t

Quartermaster's Office C. S. A.,
RALEIGH, N. C., March 23d, 1864.

I REQUIRE TWENTY (25) NO. 1 NEGRO Men for employ in this Department.

Parties having good hands to hire will do well to apply immediately. W. E. PEIRCE,

March 31-tf Captain & A. Q. M.

NOTICE.

APPLICATION WILL BE MADE TO THE GENeral Assembly, at its ensuing meeting in May, for a charter for the Stonewall Exporting and Importing Company.

March 31-3tawtd

TO RENT

A HOUSE IN MOUNT PLEASANT, CABARRUS county, N. C., 9 miles Southeast from Concord and of the N. C. Railroad, containing 8 rooms 20x20 and 2 rooms 20x30 feet; a good fire-place to each room. Double brick Kitchen and other out-buildings.

For further particulars apply to MATHIAS BARRIER in Mount Pleasant, or to ALFRED SMITH, Whitesville, N. C. Feb. 22-tf.

ATTENTION!

BLANK WARRANTS, DEEDS, MARRIAGE Licenses, County and Superior Court Writs and other Blanks for sale at the Standard Office.

—ALSO—

Job Printing promptly, neatly and accurately executed

March 18 dawtf

WANTED TO HIRE.

WANTED AT THE PROGRESS OFFICE, IMMEdiately, a negro man. Highest wages paid.

March 31-tf

OLD IRON.

50,000 POUNDS OF OLD CAST AND wrought iron wanted immediately, at North State Iron and Brass Works.

SHAW, WILLIAMSON & CO.

April 6-10t

NOTICE.

APPLICATION WILL BE MADE TO THE GENeral Assembly, at its ensuing meeting in May, for a charter for the Stonewall Exporting and Importing Company.

March 31-3tawtd

W. E. KIDDARDSON & CO.,
STOCK AND EXCHANGE BROKERS,
June 2-tf RALEIGH, N. C.

PROGRESS ALMANAC FOR 1864.

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To the People of North-Carolina.—In compliance with the wishes of many friends, I announce myself a candidate for the office of Governor of North-Carolina, at the election to be held on the first Thursday in August next.

My principles and views, as a Conservative "after the straitest sect," are well known to the people of the State. These principles and views are what they have been. They will not be changed.

I am not disposed, at a time like this, to invite the people from their employments, and add to the excitement which prevails in the public mind, by haranguing them for their votes. We need all our energies to meet the common enemy, and to provide means of subsistence for our troops in the field and the people at home. Let the people go calmly and firmly to the polls and vote for the men of their choice. I will cheerfully abide their decision, whatever it may be.

If elected I will do every thing in my power to promote the interests, the honor and the glory of North-Carolina, and to secure an honorable peace.

March 4 td W. W. HOLDEN.

Hillsboro' Recorder, Salem Press, Greensborough Patriot, and Henderson Times will please copy till day of election, and forward accounts.

Congressional.—To the Deputies:—We beg leave to suggest the name of our fellow-citizen, Gen. JAMES M. LEACH, as a candidate for Congress in this District, to supply the vacancy created by the death of Colonel Christian. In times such as the present men of age and experience, who possess talents, should be called to office. And as a member of the Legislature for many years, and also to Congress, his speeches, votes and conservative course in both bodies, have gained satisfaction and made many personal and political friends.

MANY CITIZENS.

March 16-tf of Davidson County.

We are authorized to announce A. G. FOSTER, of Randolph, a candidate to represent the 7th Congressional District of North Carolina in the Congress of the Confederate States, in the place of Hon. R. H. Christian, deceased.

March 16-tf

GOVERNMENT OF NORTH CAROLINA.

His Excellency, Zebulon B Vance, Buncombe, Governor.
Col David A Barnes, Northampton, Aid.
do George Little, Wake, do
Richard H Battle, Jr, Adjutant, Private Secretary.
Dr Edward Warren, Chowan, Surgeon General.
John P H Russ, Wake, Secretary of State.
Jonathan Worth, Randolph, Public Treasurer.
Curtis H Brogden, Wayne, Comptroller.
Samuel F Phillips, Orange, Auditor.
Oliver H Perry, Wake, State Librarian.
Major General R C Gatlin, Lenoir, Adjutant General.
Major William B Gulick, Beaufort, Paymaster.
Major John Devereux, Wake, Quartermaster.
Major Thomas D Hogg, Wake, Commissary and Ordnance Officer.
Major James Sloan, Guilford, Quartermaster.
Major Henry A Dowd, Edgecombe, do
Major James H. Foote, Asst. Adjt. Gen., (Roll of Honor.)
Major William A. Graham, Jr., Asst. Adjt. General.
Lieut Josiah Collins, Washington county, Ordnance Department.
Lieut. John B. Neathery, Wake, Asst. Adjt. General.
Lieut. Thomas White, Franklin, Asst. Quartermaster.

JUDICIAL.

Supreme Court.—Richmond M Pearson, Yadkin, Chief Justice; William H Battle, Orange, and Matthias E Manly, of Craven, Judges; Silas R Rogers, Wake, Attorney General; Hamilton C Jones, Rowan, Reporter; Edmund B Freeman, Clerk. [Meets in the city of Raleigh second Monday in June each year. The Borough term has been discontinued.]

Superior Courts.—Judges.—Edwin G Reade, Person; Romulus M Saunders, Wake; Robert R Heath, Chowan; Robt S French, Robeson; James W Osborne, Mecklenburg; George Howard, Wilson; Robert B Gilliam, Granville; William M Shipp, Henderson.

Solicitors.—1st Circuit, Isaac J Yeates, Hertford; 2d Circuit, Charles C Clark, Craven; 3rd Circuit, Silas R Rogers, Wake; Attorney General; 4th Circuit, Thomas Settle, Rockingham; 5th Circuit, Ralph Buxton, Cumberland; 6th Circuit, Robert P Armfield, Yadkin; 7th Circuit, William F Bynum; 8th Circuit, Augustus S. Merrimon, Buncombe.

Confederate States District Court.—Hon Asa Biggs, Martin, Judge; George V Strong, Wayne, Attorney; W S Watson, Craven, Clerk; Wesley Jones, Wake, Marshal.

Council of State.—[3 Confederate, 2 State.] Robert T Dick, Guilford; Dr James Calloway, Williams; Miles Gen. Johnston; J K Hargrave, Anson; James R Mebane, Alamance; James A Pearce, Baltimore.

Literary Board.—His Excellency Gov. Vance, President Ex officio, Rev William E Pell, Wake, and Professor Richard Sterling, Guilford; Dr. Wm. Sloan, 3d Curtis; Richard H Battle, Jr, Secretary.

Board Internal Improvements.—His Excellency Govern'r Vance, President ex officio, Wm Eaton, Jr, of Warren and J H Flanner, of New Hanover. Richard H Battle, Jr, Secretary.

Commissioners of Building Fund.—Hon Thomas Ruffin Alamance, Hon Weldon N Edwards, Warren, and Hon David L Swain, Orange.

The University of North Carolina is at Chapel Hill. Hon David L Swain, President.

Rev Calvin H Wiley is Superintendent of the Common Schools of the State.

Wiley J Palmer, A M., is Principal of the N C Institution for the Deaf and Dumb and Blind, at Raleigh.

Dr Edward G Haigh is Superintendent of Asylum for the Insane.

CITY OF RALEIGH.

Mayor—Wm. H. Harrison.

Commissioners.

Western Ward—Wm. H. Tucker, Wm. Crabtree and T. S. Overby.

Middle Ward—Wm. H. Harrison, Augustus E. Thompson and S. W. Smith.

Eastern Ward—Dr. W. H. McKee, J. J. Overby and Wm. Hamilton.

J. J. Christopher is Clerk to the Board and City Tax Collector.

W. R. Richardson is City Treasurer.

Town Constable—J. J. Lewis. Chief—W. N. Hawkins, Assistants.

E. P. Battle, City Attorney.

J. G. Pemberton, City Printer.

The Corporation Court is held by the Mayor, and meets on the first Monday in each month.

Police Court—Mayor presiding. Meets every Saturday morning.

The Board for the [illegible]

DAILY PROGRESS.

RALEIGH, N. C.

MONDAY, APRIL 18, 1864.

It Abraham Lincoln and those who manage the affairs of the Federal government were wise men they would let the South alone and stop this war. Sooner or later they must do this; and it would be greatly to their present and future interest to do it now. The protraction of the war is building up a debt at the North, and producing demoralization and depravity among the people that will cause those who have reason or virtue left to curse the present administration to the latest generation.

We have said and now repeat that the radicals of neither section will ever get all they want in this contest, nor will the sword or the fanatics who brought it on ever be able to close it. Whenever the close does come it will be through negotiations conducted by such statesmen as A. H. Stephens, Herschel V. Johnson, W. A. Graham, Bedford Brown, W. C. Rives, and Orr and Boyce of South Carolina, on the part of the South, and such as C. L. Vallandigham, Millard Fillmore, Franklin Pierce, Vorhees, the Woods' and others on the part of the North. These men were all opposed to the war and had their counsels prevailed, we should have had none of it. They were opposed to the beginning of it in 1861 and they are opposed to its continuance now; and if the sword could be sheathed for a season and these statesmen could get together, peace would follow, honor would be satisfied and the two governments might set out in a race for mutual prosperity, civilization and moral greatness.

The radicals of the North will never get what they want, because they desire our subjugation. This the South and Europe tell them they can never accomplish. Why then do they persevere? There is but one answer—it is the fanaticism that commenced the struggle, intensified, that continues it.

The radicals of the South will never get all they want, because to do so would be to make them guilty of the same coercion that Lincoln attempted on us.—North Carolina went to war because Lincoln called on her for troops to *coerce* a sister State. When we achieve our independence, as we finally shall, we should be glad to have Maryland, Kentucky and Missouri with us, provided their people desired the association; but as long as they prefer the North we do not want them. We have suffered and endured too much to have our right to hold slaves acknowledged to admit free States into our brotherhood. From Maryland and Missouri we expected nothing from the beginning, because we were satisfied that Yankee and foreign squatters had abolitionized both States; but we did expect and had a right to expect better things of Kentucky. But her conduct in the war, having furnished many more men to fight against than for us, satisfies us she would not connect herself with our government if left free to make a choice. For these reasons, then, we would ask nothing more in negotiations for separation and peace, than that each doubtful State have the privilege of deciding their own destiny by ballot. If then these States come we will welcome them with open arms; but if they stay with the enemy, as we have but little doubt two of them at least will, their loyal citizens would have our sympathy and respect. Thousands of their noble sons have fallen and others are now fighting in the defence of the South, while others and a much larger number have taken up arms against us. The large vote by which Maryland has just emancipated her slaves seals her fate forever. But why care for Maryland? Without her we shall have one of the most interesting countries in the world, and one of the most prosperous when peace and independence shall have been obtained.

But let not our authorities or people deceive themselves. Men talk of the "fourth and last year of the war"—of the next being the last campaign, &c., while others look upon the triumph of the Democracy in the North as our only hope of salvation. We look for none of these things. The purposes of Providence are not yet accomplished by this war, and it will not come to an end this year; nor will the Democracy defeat Lincoln in the fall election. The war will go into the next year, unless we throw up our arms and accept disgraceful terms, a thing no single State in the Confederacy will ever consent to do.

The Conservative elements of the two sections are at work, however, and the time for negotiations will come, but not very soon. Madness and passion must give way to reflection and reason before statesmen can come to our relief; but when the time does come, and the fanatics who brought all these horrors on the country are hushed, and the settlement of our troubles committed to their keeping, the war will be terminated on the basis of separation, leaving doubtful States to fix their own destiny by a fair expression of sentiment at the ballot box. Such will be the end when it comes, and no reasonable man, of either section, will object to such terms. But we do not look for it this year, and one of the necessary agencies to bring it about at last, is a vigorous and persistent prosecution of the war with all our available resources. Lincoln's reign cannot last always.

Vice-President Stephens' Speech in Pamphlet Form.

Having been urged by letters from different parts of the State to print the great speech of Hon. A. H. Stephens in pamphlet form we have determined to do so, and shall commence it immediately and have them ready to deliver within a few days. Gentlemen wishing copies of the work will please send their orders to the *Progress* office immediately, stating the number wanted, how to be sent, &c. The cost of the pamphlet will be about 20 cents a single copy, $20 a hundred and $200 a thousand. Unless orders are sent within a few days they cannot be filled.

We have a few hundred copies of the Weekly *Progress* containing the speech of Mr. Stephens left. Price $15 a hundred.

Victory Beyond the Mississippi.

We have glorious news from beyond the Mississippi. Kirby Smith has given Banks and his abolition and negro troops an awful thrashing, and we hope will be able to follow up the victory, until not a Yankee can be found in the trans-Mississippi Department.—Banks' loss is put down at 14,000. We hope the details will more than confirm the telegram.

Our neighbor of the *Confederate* devoted the most of his editorial space on Saturday to "Holden" and the [illegible] as if he [illegible] his readers that [illegible] he does [illegible] He is [illegible] that [illegible] can't believe, and such a weapon is hardly legitimate in political warfare. Others know, if he does not, that we left the labor of years in Newbern to follow the cause of [illegible] and be with our people, and we would do it again. We hope for nothing but in the success of Confederate arms and the independence of the Confederate States, and whoever charges us with other motives or expectations does us great injustice. Fortune has favored us and by paying attention to our own business we have acquired something in the way of property here, and we would rather see it in ashes than have it fall into the hands of our brutal enemy; but should reverses to our arms ever bring them here they can take what little we have, for we shall still cling to our friends and the Confederate cause. But we thank God that the masses of the people do not think as our neighbor professes to think, for if they did we should not enjoy their confidence or patronage to the extent that we do. Our political record from the time that Butler, assisted by other factionists, broke up the Charleston Convention in 1860, to the present hour, is before the people of the State, and by it we are willing to be judged.

The *Progress* charges one-third more for advertising, and one-fourth more for subscription to his daily than we do. He has a right to do this; and so have the people and the government the right to decline patronizing it, if they see proper.—*Confederate.*

All right. We charge for our wares what we think they are worth, and of course you do the same. But what was the amount of income tax paid by your predecessor, whose good will and fixtures your stockholders purchased, last year? What income tax did the *State Journal* and the *Spirit of the Age* pay for 1863? Give us the figures, gentlemen. You boast of your business and circulation, and so did Spelman. Our Confederate tax has been given in and paid.—What was yours?

Patronage or no patronage we shall support Holden for Governor and advocate the shortest road to an honorable peace. And mark our prediction:—In August the people will be with us.

Another Daily Paper.

We acknowledge the receipt of the first number of "*The Daily Conservative*," which made its appearance in this city on Saturday, under the editorial management of Jno. D. Hyman, Esq. The new paper will support Gov. Vance's re-election. Mr. Hyman has had newspaper experience and writes well. We welcome him to the fraternity, and should we ever have to break a lance with him we hope it will be done without a resort to personalities and in good spirit. We cheerfully place the "*Conservative*" on our exchange list.

Gov. Vance's Appointments.

We find the following announcements in the *Confederate* of Saturday. We would cheerfully have published them the same day had they been furnished us:

Gov. Vance will address the people of Harnett, at Summerville, on Thursday, the 21st of this month (April); of Cumberland, at Fayetteville, on Friday, the 22d, and of Chatham, at Egypt, on Saturday, the 23d.

Send us the Returns.

Our friends in the 7th Congressional District will please send in the returns of the election on Thursday next, at the earliest possible moment. Send by mail or telegraph. We hope some friend at each of the stations will telegraph us the result of precincts and counties as fast as received. We will pay for all dispatches.

From Northern Virginia.—The *Sentinel* of Friday says:

The Yankee cavalrymen, two teamsters and one deserter from the 47th Virginia regiment, were brought down on the Fredericksburg train yesterday afternoon. The Yankees were captured in Stafford, near Hartwood Church.

On Monday a party of the enemy's cavalry made a raid through Prince William and Stafford, stealing every horse of the least value. They also captured two Confederate soldiers in Stafford—Messrs. Seth and George Cooper.

We learn that the party which dashed into Falmouth yesterday gained but little. There were two teams in the village at the time, which had come down for salt; but the horses were so poor the Yankees would not take them.

The condition of the people of Stafford and Prince William is most unfortunate. The supply of breadstuffs is almost entirely exhausted, and no prospect of the citizens being permitted to retain horses enough to raise any corn this season. Too cowardly to meet our soldiers, except in overwhelming numbers, the enemy are warring upon women and children, by attempting to produce famine by the destruction of fences, farming implements, and the stealing of horses and other stock.

Yankees Advancing from Suffolk.—The Petersburg *Express* of Friday says:

Ascertaining that there was no Confederate force between Suffolk and the Blackwater, it is said that the brutal and inhuman Col. Spear, boldly marched his troops out on Wednesday night, and yesterday halted in full view of the Blackwater, where at a respectful distance, he viewed the "promised land" on this side. Whether he contemplates a further advance in this direction is unknown, but a gentleman from the spot informs us, that if this be his design, he will be compelled to halt a brief season where he is, even if there were not a Confederate to oppose him on this side. The Blackwater, an inconsiderable stream in times of dryness and drouth, is now very much swollen and cannot be bridged. It is higher, we understand, than it has been for thirty years past, and unlike many other streams in Virginia, does not fall very rapidly. But be this as it may, (high or low,) if Spear ever gets upon its western bank, it will prove a trap to him, which he will wish to the latest day of his life, should he survive the event, that he had avoided. Our forces are fully prepared to extend him a warm reception, and burning to avenge the many cruel wrongs which he and his villainous followers have perpetrated upon the loyal and patriotic people of Suffolk and the country surrounding.

Cotton Cards.—The Chatham *Advocate* says:

We are glad to learn that Mr. Quarter Master Dowd, of the State service, has now on hand 19,000 pairs of Cotton Cards for distribution in the State, and that he is ready to deliver them to the Commissioners of the several counties. None need apply for them to any other person but to the commissioners of their counties, soldier's wives and widows, if we remember rightly, are first to be supplied.

Judge Manly and the Habeas Corpus.

We publish the following opinion of Judge Manly, of the Superior Court Bench, from the *Confederate*. Judge Manly is one of our purest and best men and though there are many gentlemen of great legal learning who differ with him, there cannot be the slightest doubt as to his sincerity and singleness of purpose.—We know the decision is a conscientious one. We take the same view of this whole matter that Vice-President Stephens does, but difference of opinion shall not cause us to question the motives of such a man as Judge Manly:

In the Matter of Patrick Rafter.—The answer of the officer having custody of the petitioner to the writ of *habeas corpus* discloses a case which cannot be proceeded further under the writ. The following return is made: "W. T. Shipp maketh oath that Patrick Rafter was arrested and is now detained by him as a person liable to do military duty, and who is attempting to avoid the same; that his arrest and detention is in pursuance of the authority of the Secretary of War of the Confederate States."

The act of Congress, after declaring the writ of *habeas corpus* suspended in its application to arrests made by the President or Secretary of War in certain enumerated cases, provides that "during the suspension, no military or other officer shall be compelled, in answer to any writ of *habeas corpus*, to appear in person or return the body of any person detained by him by the authority of the President or Secretary of War, but upon the certificate, under oath, of the officer having charge of any one so detained, that such person is detained by him as a prisoner, under the authority aforesaid, further proceedings under the writ of *habeas corpus* shall immediately cease, and remain suspended so long as the act shall continue in force.

It appears to me clear, from this provision of the law, that Congress intended to take away from the ordinary tribunals of the country all enquiry by *habeas corpus* into arrests made by the President or Secretary of War, professedly in any of the enumerated cases.

Congress is so guarded upon this point, that it prescribes the form of the return which the officer cited by the writ is to make, and which it declares shall be sufficient; and this form tenders no issue, and leaves open no opportunity for making an issue upon the construction of the law. The officer's return in the case before me, pursues the form prescribed; and that by the terms of the act, puts an end to all further enquiry. It results that no question can be properly raised in the matter before me, unless it be a question as to the power of Congress to pass such a law. I see no sufficient reason for holding the law invalid for defect of power.

The Confederate Constitution (Art. 1, Sec. 9, par. 2,) declare that the writ of *habeas corpus* shall not be suspended unless when in cases of rebellion or invasion the public safety may require it. This is a "negative pregnant," which implies a power in Congress, within the sphere of the general government's action, to suspend the writ, as the Parliament of England was wont to do, subject to the limitation that the power shall be exercised only in cases of rebellion and invasion, when the public safety may require it. Invaded from all quarters by the public enemy, as the States were at the late session of Congress, the occasion had arisen when that body might lawfully consider of the exigency for a suspension of the writ. It did so consider; decided in favor of a suspension in the cases enumerated, and this decision is necessarily conclusive.

It is conceded as a high exercise of the legislative power; but it is believed not to be beyond its legitimate range, while the momentous and profound emergencies, with which the country is now struggling, is its full justification.

An affidavit is found among the papers, from which it appears that petitioner claims now to be 47 years of age and to be exempt by reason thereof from enrollment to do military service to the Confederate States. According to the view taken by me of the law, the question thus raised is excluded from consideration. But if it should turn out that I am in error in this construction, and the point be made and considered, it will not avail the petitioner.

The first section of the military bill provides that all white men between the ages of 17 and 50 shall be in the military service of the Confederate States during the war. In the fifth section, those between 17 to 18 are placed on a reserve corps, not to serve out of the State in which they reside. In the eighth section, power is given to the President to detail from the class between 45 and 50, persons for office, hospital and other similar duties. No restriction seems to be imposed upon the employment of this latter class in military field duties; and the enrollment and arrest for duty of petitioner, is not, therefore, an illegal interference with his personal liberty. Indeed, had Congress limited the field of duty to the State, as in the case of persons between 17 and 18, the mustering him into service simply, and placing him in a camp of instruction near the capital of the State, which is the alleged trespass upon his rights, would not be illegal. The arrest and detention would not be without warrant of law; and the writ under which he is seeking redress is confined in its office to the enlargement from imprisonment or custody of persons so arrested and detained, and none others.

Upon the questions which have arisen out of the laws of April and September, 1862, as well as that of January last, usually called the Conscription Act, some future occasion may be afforded of giving to the public my views. At present I abstain from any discussion of them, as it is not necessary, and they may be the subject of future reviews in the Court of which I am a member.

I deem it proper to state, that the petition in the case does not set forth the alleged ground for the petitioner's arrest; but I concluded to overlook this defect and meet at once the questions raised upon the construction of the law. I mention it here, that it may not be regarded as a precedent against me. In general it is believed to be more consistent with a just and prompt execution of the laws to require petitioners to set forth the grounds of controversy so far as they are known; and if the petition disclose a case to which the act of suspension clearly applies, it seems to me it ought to be rejected.

The petitioner is remanded to the custody of the officer.

M. E. MANLY.

In the Matter of Spivey.

The petitioner had put in a substitute, the writ issued February 16th, 1864, was executed on the 9th of March and the following return made:

Conscript Office, Raleigh, N. C., March 9th, 1864.

Hon. R. M. Pearson, Chief Justice N. C.:

"In answer to your summons demanding the body of N. G. Spivey before you without delay at Richmond Hill, I hereby certify, that the said Spivey is detained by me under orders of the Secretary of war as a prisoner for an attempt to avoid military service.

Peter Mallett,
Col. Com'dg of Conscripts for N. C."

The certificate was not sworn to, but the oath was afterwards made.

April 8th, 1864, Mr. Boyden, counsel for the petitioner, after notice to Col. Mallett, moved for judgment of discharge, on the ground that the act of Congress suspending the writ of *habeas corpus*, by its proper construction, does not embrace the case of one who, like the petitioner, not being liable to conscription, simply applies for a writ to test the constitutionality of the act subjecting principals of substitutes, that not being an attempt to avoid military service within the meaning of the act, and that as the 3d section contemplates that writs are still to be issued, (see "Rosentans case") it involves an absurdity to say, that the application for the writ is a cause for detaining the man, not as a *conscript*, but as a *prisoner*.

The fact of applying for the writ cannot be made the foundation of a certificate, which is to be substituted in place of a return of the body, that Col. Mallett acted under *general* orders of the Secretary of war, which orders are unconstitutional and void; for which he relied on the case of Mr. Wilk's, where Chief Justice Pratt so decided.

The certificate is so general as not to raise these questions. For the purpose of this motion the return is to be taken as true; it negatives the allegation that the petitioner is detained as a conscript, and avers that he is detained as a *prisoner* for an attempt to avoid military service, I cannot know *judicially* what the act was which is considered to be such an attempt. It may be that Spivey secreted himself, or tried to escape within the lines of the enemy; or it may be, he is one of those men who, not being liable to conscription in the language of Judge Battle in Love's case, "seek the benefit of the writ for the sole purpose of establishing their claim to exemption from such duty." I am not at liberty to presume that the petitioner, being in the first instance arrested and detained as a conscript, his application for the writ is made the ground for the averment that he is detained as a prisoner for an attempt to avoid military service, which would be a *consequence* and not the cause of the detention for which he makes complaint, and prays may be enquired of, as this would seem, as Mr. Boyden says, to involve an absurdity.

Nor can I know judicially whether the orders of the Secretary of War are general or special; that is, whether Col. Mallett is ordered to arrest and detain as prisoners all persons who attempt to avoid military service, leaving it to him to say what constitutes such attempt, and to pass on the law as well as the facts and to certify his conclusion on oath, or whether he was ordered specially to detain N. G. Spivey as a prisoner for an act which the Secretary of War considered as amounting to an attempt to avoid military service within the meaning of the act of Congress. The certificate gives me nothing to act on.

2. Mr. Boyden then moved for judgment [illegible] in the nature of a motion for judgment, non obstante, veredicto, on the ground that the petitioner is [illegible] by reason of his generality [illegible] that [illegible] were required by the act [illegible] further [illegible] in the case [illegible] performed. [illegible] as well be no [illegible] at all, or one that [illegible] determined as a matter of the orders of the Secretary of War, none of which are called in the act, without setting out which one, and this he urged would surely not be a performance of the condition. He relied on Orrin Jones' case and Ex parte Douglass, 43, N. C. L., 262, where the parties are discharged by reason of the insufficiency of the return.

In both of these cases "the body" was returned and was in each case in court, and I have not been able to find any case in which judgment of discharge is rendered, where the court is not in possession of the things to be acted on; [illegible] to the body in former cases; without that, no judgment can be given. This conclusion is supported by all of the common law authorities; no one could be tried unless the body present. A man convicted of murder cannot be sentenced without his [illegible] before the court, and the judgment is void if it do not appear by the record, that the prisoner was at the bar of the court. (Queen's case, Leach.) Nay, the rule at common law was so fine-drawn that the court could not try the prisoner, although he was at the bar, unless he put in a plea, and to compel him to plead the *peine forte et dure*, was anciently resorted to. It is superceded by a statute authorizing the court, if a prisoner stands mute, to enter the plea of not guilty for him. So in civil cases there must be an appearance or no judgment could be rendered; hence the process of distress, infinite outlawry, &c., to compel an appearance, rule on the sheriff to bring in the body when a *capias ad respondendum* had issued, which is also altered by our statutes. In *habeas corpus* cases, *sicas* and *pluries* writs, rules, attachments, &c., are resorted to to compel a return of the body. There is no statute applicable to *habeas corpus* cases, which stand in this respect as common law; no judgment can be rendered, unless the body be returned.

Motion for judgment of discharge not allowed.

R. M. PEARSON, Ch. J. S. C.

April 11th, 1864.

From the Richmond Enquirer.]

TO HIS EXCELLENCY, THE PRESIDENT OF THE CONFEDERATE STATES.

Sir—A wise and magnanimous Chief Magistrate will not turn a deaf ear to the well-meant suggestions of the humblest citizen—and, therefore, I address these lines directly to you—that you may judge, yourself, free from the intervention of any one else whatever.

I will not speculate upon the probable results of the loss of Richmond and East Tennessee and Northern, Eastern and Western North Carolina. But I think I can see very clearly how Richmond and Virginia may be defended and held by our armies, and I look forward to the happiest results from such a consummation.

We have arms and ammunition in abundance, and men enough, and there is food enough in the country, in my opinion. If this be so, and the whole world must sooner or later know it; if it really be so—then if Richmond and Virginia be not successfully defended, an awful responsibility must rest somewhere.

I believe we have not only food sufficient for the men and horses, but that there is ample railroad transportation to place it in Virginia, where it is most needed. I have seen two thousand heavy packages of goods exposed for sale at a single auction—lawns selling at $50 per yard that were not worth fifty cents—and, studying the subject, I found the secret of the scarcity and high price of provisions. I found that no government could compete with banded speculators, realizing such profits. They can afford to pay express companies and railroad companies ten times the freight paid by government. Every day I see express wagons filled with heavy packages of provisions at the doors of the departments and bureaux in this city; and I infer that the favored officers (non-combatting) have plenty, even if the soldiers, wading through fire and blood, are kept for months on short rations.

These things are seen and known by the soldiers, who are still patient and patriotic. It is true, thousands of dollars are expended in advertising that express agents will carry food to the army—thanks to their patronizing omnipotence! But the parents of the soldiers will not send it, unless they can be present and deliver it themselves.

But the remedy. I would humbly suggest to your Excellency the necessity of exterminating speculation in food and raiment. Let the government take the entire surplus of these indispensable articles into its own keeping, as it has taken the entire population of certain ages. Then make everything give way to government freight, and accumulate in Virginia not only enough for the army, but for the families of the soldiers, &c. Nothing could be easier or more simple. Let the surplus products be paid for at schedule prices, and sold at the same, the army being provided for, and there will be no more speculation. Your Excellency knows how salt has been supplied in Virginia; everything needful can be supplied in the same way, and we could maintain the war for fifty years.

I trust your Excellency will listen to a word as to men. They are not to be supplied by a few clerks from the Departments. Indeed, it would be a crying injustice, such as would ascend in thunder tones to heaven, to remove some of them—those who have left house and land, and forsaken all for the cause, having here parents, little sisters and brothers, depending on their salaries for a scanty subsistence.—No; remove only those who cannot make affidavit that they have no other means of supporting those dependent on them but their salaries—and this will reach a large per cent. But look narrowly to the non-combating commissioned officers here, who are patronized by the Express wagons—young men, red-faced and robust, and rich, who go about boasting their ability to keep their clerks, in spite of law and orders—look for these in all the Departments and Bureaux—aye, even in the Conscription Department itself—and the besom need not be idle. The community is disaffected by seeing these starred and striped gentry in "soft places," while those near and dear to them are driven like sheep to the slaughter—Camp Lee—and the officers and soldiers in the field may grow discontented. Let even-handed justice be done; and with God's blessing—which we will have then, for we shall have deserved it—the host of the invader will be broken and utterly dispersed. We have the men and the means to end the war gloriously this year, and I know your Excellency is as deeply interested in bringing about such a result as any man in the Confederacy. It is in the power of your Excellency.

A Looker On.

From the Petersburg Express of Saturday.

FROM BURNSIDE—ACTIVE MOVEMENTS BELOW—THE ENEMY APPEARS AT SEVERAL POINTS.

By the arrival of the train on the Norfolk and Petersburg Railroad last night, we have some stirring intelligence from below. Reliable statements inform us that on early hour on Thursday morning, a regiment of Yankee infantry landed at Holladay's Point, on the Nansemond River, ten miles below Suffolk. At the same hour, another regiment, accompanied by six pieces of artillery, and 75 [illegible], landed at Cherry Grove, on the James River, distant from Holladay's Point about ten miles.

The forces which [illegible] at Holladay's Point, immediately marched [illegible], hoping no doubt to capture a party of Confederate Signal Corps, scouts and others, who had been operating in that vicinity. But the [illegible] signally failed, as our men received early information of the movements of the enemy at both points, and were thus enabled to avoid the trap laid for them.

[illegible] the overwhelming odds of the enemy, 10 of Gen. Pickett's Provost Guard, under Lieut. Gornto, who were on scouting duty in that direction; 10 men of the 8th N. C., under command of Lieut. [illegible]; 7 of the Signal Corps, under Lieut. Mountcastle, and the same number of scouts from the 17th [illegible], 37 in all, formed [illegible]

which lasted from 8½ to 1 o'clock, resulting in the escape of our force, with the loss of one man wounded and captured, of the 31st N. C. The fight was continued for several miles, and our gallant fortyseven were not annoyed after they saw their chances of escape certain—the enemy, instead of pursuing further, moving off in a northerly direction towards Smithfield.

The two forces of the enemy mentioned above formed a junction near Cherry Grove, where General Graham assumed command. They succeeded in capturing H. K. Darden, of the 16th Virginia, who was at his home on furlough in Nansemond co. They also captured young Hodgden, a mere youth, whose principle crime at Cherry Grove. This lad was suspected of carrying information of the enemy's movements to our scouts and signal men. The Vandals also visited in their march the residences of H. L. Tynes, Dr. Tynes, Willis Dunkley, Mrs. C. Hall, James Jordan and Mrs. Minton, from whom they took all the horses and negroes which they could find.

At an early hour Thursday morning, also, a regiment of five hundred and fifty Yankees, under the command of one Col. Love, landed at Rock Landing, on James River, near Bacon's Castle, Surry county. They were met in the field of Charles Wren, Esq., between Bacon's Castle and the Landing, by a squad of the lower Signal Corps, under Major Miligan, and Capt. Causey's scouts, who immediately gave the Vandals battle. We have not heard the result of this engagement, but at last accounts our men were annoying the invaders considerably, and Capt. Moise's company, of the 7th Confederate Cavalry, had gone to their assistance. We had wounded and captured one man, who stated that the regiment was the 23rd Massachusetts. Four deserters, who claimed to belong to the 8th New York, came in and surrendered. These deserters, we hear, gave very conflicting accounts of Burnside's movements, stating positively on Thursday that Burnside was preparing to move up the Peninsula, and yesterday declaring that they knew nothing about Burnside. They were brought up to Petersburg yesterday. The conflicting accounts they give of Burnside would indicate that they are spies, and have deserted for the sole purpose of deceiving our officers as to Burnside's movements.

Information from a gentleman eminently worthy of confidence, who was within five miles of Portsmouth Wednesday night, states that Burnside's forces were landing in large numbers at Portsmouth all day Wednesday.

The enemy hold Suffolk and have sent out forces in every direction. They now occupy every road leading to that town.

A large force, estimated by some to number between 3000 and 4000, quartered at Philips' on Thursday night, nine miles this side of Suffolk; 100 stayed at Hardy Chapman's, one mile from Zuni, on the Norfolk and Petersburg Road, the same night and a party who was at Windsor, went off Thursday night in the direction of Franklin.

Spears is said to be also operating in the direction of Franklin.

The scattering of these forces would argue against the theory that Burnside's plan is to move in force against Petersburg, but there is no saying now what his real intentions are. It is not at all improbable that the occupation of all the country between the Blackwater and Suffolk, is for the purpose of preventing, any information of his movements reaching our military authorities here. If he designs coming in this direction, his now widely scattered forces can soon concentrate at some named point, and join the main command. It has been suggested that he would probably aim for Weldon, in order to destroy the railroad at *that point, but that would be too long a march, when he can strike the railroad at a near point* to Petersburg. Others have suggested that *all* his marching to and fro, and landing at different points between the Blackwater and Suffolk and at Portsmouth, is for the purpose of deceiving the Confederates, while a larger force is about to proceed up the Peninsula, which can be rapidly reinforced by withdrawing Burnside's men from their present localities and sending them to the Peninsula. As the enemy holds the lower James, and has unusual facilities for transportation by water, he can accomplish a vast deal in a very short period of time. Be his intentions what they may, our readers may rest assured, he is watched by vigilant officers and men, and that all will be done within the power of the Confederate authorities to retard his movements and bring his plans to grief and failure.

SUSPENSION.

We are compelled to suspend the publication of the Eagle for the present, owing to two of our compositors having been conscribed by Lieut. J. M. Prior, Enrolling Officer of the 8th Congressional District.—We think Lieut. Prior was induced to do this by the gross misrepresentation and falsehood of some person or persons, who wish to break down our paper, but his action is none the less oppressive on this account.

The Eagle has always been a true Southern paper, and was established before the war, and has been published with but little interruption since. When the war first broke out the paper was suspended because all the employees and one of the editors entered the army as volunteers. The paper has always supported the Confederate and State governments, and was opposed to the dangerous agitation which has been kept up in the State; but, under the present circumstances, we cannot but feel that we are oppressed by the action of Lieut. Prior, one of the Confederate officers in the State, against which oppressive action we respectfully but firmly and earnestly protest. We cannot think that it was the intention of Congress, under any circumstances, to take any necessary hands out of any newspaper office, however humble it might be, particularly if by doing so the paper would necessarily be suspended. Yet, it has been done in our case, and has resulted in the virtual suppression of our paper. And we claim that this suppression has been produced by the power of the Confederate Government, through one of its subordinate officers. Let the proper authorities repudiate this oppressive and unjust act of their subordinate, or shoulder the odious burden of fettering a free and loyal press.

The two apprentices, of whose conscription we complain, were employed last fall, after we had made every effort to procure a regular printer, neither of whom were liable to conscription when so employed. We think the law is in our favor, and we hope Col. Mallett will so construe it, and release our compositors. In the meantime the publication of the Eagle will be suspended until our hands are released or we can get others to supply their places.—*Mountain Eagle.*

Under the law the Enrolling Officer had no right to take the hands from the *Eagle* Office, provided the Editor was willing to make oath that they were necessary to the publication of the paper; and we suppose the authorities will not hesitate to have them released. We learn that the principals of substitutes, who entered printing offices in this city after the law conscribing them was passed, have been exempted.

Let the whole press be free, or stop them all. We favor even-handed justice in all things.

The Lynchburg *Republican* has a very severe article on the Vice President, Hon. A. H. Stephens, on account of his last speech, which it closes by saying that "Vice President Stephens will not do, and never would." We suppose the *Republican* thinks Mr. Stephens should have acknowledged the divine right of secession in 1860. We trust he will survive all